FARAD CONTINUATION SHEET.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR.

WRIT PETITION NO.5100/2005

Smt. Muktabai wd/o Pratap Bharde and another

...Versus...

Satyanarayan s/o Bholanath Pande

Office Notes, office Memoranda of Coram appearances, Court's orders or directions and Registrar's order.	Court's or Judge's order

CORAM: **B.P. DHARMADHIKARI, J.**
DATED : **08.12.2005.**

1. Heard Advocate Shri S.P. Kshirsagar for petitioners and Advocate Shri A.P. Lakhnikar for sole respondent-landlord.

2. The grievance made by Advocate Shri S.P. Kshirsagar is that before the appellate authority it was agreed that the petitioner-tenant shall pay entire arrears and also enhance the rent and shall

not be evicted from the premises, in view of the judgment of the Hon'ble Apex Court reported in 1990 Mh.L.J., page 1284, between Rajkumar Ramavtar Chourasia -Versus- Mathew Cherian. Advocate Shri A.P. Lakhnikar for respondent states that there was no such agreement. On the proposal given by the petitioner, the matter was discussed between the parties and no settlement in this respect was arrived at. I find that the appellate authority has not recorded any such agreement or settlement between the parties.

3. In the facts and circumstances of the present case, I do not find any jurisdictional error or perversity in the approach by the appellate court. No case is made out for interference in the writ jurisdiction. Writ Petition is dismissed with no costs.

JUDGE

SSW